

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 488

Introduced by Wightman, 36; Ashford, 20; Nelson, 6.

PURPOSE: The purpose of this resolution is to analyze and compare the provisions of LB 756 (2010), a bill to adopt the Nebraska Uniform Real Property Transfer on Death Act, with current Nebraska law. The Uniform Real Property Transfer on Death Act was adopted by the National Conference of Commissioners on Uniform State Laws in July 2009. Thirteen states had legislation authorizing "transfer on death deeds" prior to adoption of the uniform act. LB 756 contains the uniform act with substantial modifications applicable to the State of Nebraska. The study shall be a section-by-section analysis and comparison of the proposed Nebraska legislation, together with additional relevant considerations and recommendations. In order to carry out the purpose of this resolution, the committee should seek the assistance of professors at the University of Nebraska College of Law and the Creighton University School of Law and other interested persons as the committee deems necessary and beneficial. The goal of the study is to provide a reliable understanding of the implications of adopting a Nebraska Uniform Real Property Transfer on Death Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIRST LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall

be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.